



PATENT
ATTORNEY DOCKET NO.: 041514-5106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shinichi TAKAHASHI et al.) **Mail Stop RCE**
Application No.: 09/770,673) Group Art Unit: 2828
Filed: January 29, 2001) Examiner: J. Menefee
For: OPTICAL PICKUP APPARATUS) Confirmation No.: 5427
AND LASER DIODE CHIP)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

- ☒ Enclosed:
☒ Preliminary Amendment Filed with RCE under 37 C.F.R. § 1.114
☐ Supplemental Reply
☐ Affidavit(s)/Declaration(s)
☐ Information Disclosure Statement
☐ Form 1449
☐ Other

04/07/2004 AWONDAF1 00000119 500310 09770673

01 FC:1801 770.00 DA
02 FC:1201 86.00 DA
03 FC:1252 420.00 DA

2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).

☐ Other: _____.

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$770.00

☐ \$385.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	7	minus	20	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	3	0	x \$86 each =	+ \$86.00
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$86.00

(c) Extension of Time

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of **\$1276.00** (representing \$770.00 for the RCE filing fee, \$86.00 for the additional claim fee, \$420.00 for the two-month extension of time fee).
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By:



Paul A. Fournier

Reg. No. 41,023

Dated: April 5, 2004

Customer No. 009629

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Image
RCE \$
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Attorney Docket No. 041514-5106

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Sir:

PRELIMINARY AMENDMENT FILED WITH RCE UNDER 37 C.F.R. § 1.114

In response to the Final Office Action dated November 5, 2003 (Paper No. 19) and the Advisory Action dated February 24, 2004, the period for response to which extends through April 5, 2004 by the concurrently filed petition for a two month extension of time and corresponding fee payment, and concurrently filed herein with a Request for Continued Examination and prior to continued examination, please amend the above-identified application as follows: